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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/765,045	01/28/2004	Fujihito Numano	04329.3233	9596
22852	7590	08/10/2006	EXAMINER	
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			CHOW, JEFFREY J	
		ART UNIT	PAPER NUMBER	
			2628	

DATE MAILED: 08/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/765,045	NUMANO, FUJIHITO	
	Examiner	Art Unit	
	Jeffrey J. Chow	2628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 19 June 2006.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-3,5-8,10-12 and 17-28 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-3,5-8,10-12 and 17-28 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 28 January 2004 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1 – 3, 5, 7, 8, and 12 with respect to Toshiyuki and Lee have been considered but are moot in view of the new ground(s).

Applicant's arguments filed 19 June 2006 with respect to claims 1, 4, 6, 10, and 11 with respect to Kumakazi have been fully considered but they are not persuasive.

Applicant argues Kumakazi does not anticipate a management table which stores display attribute information indicating predetermined information included in the image and a display unit which displays an image and can be remotely controlled by a remote controller; a management table which stores display attribute information indicating predetermined information included in the image displayed by the display unit; and a control unit which magnifies the predetermined information according to the attribute information and a distance (page 15). Briefly, Kumakazi teaches a display unit (Figure 10), a management table (Figure 17), and a control unit (Figure 14). A full explanation in detail is given below in the prior art rejections.

The drawing objections have been withdrawn due to applicant's amendments to claim 12 and cancellation of claim 14.

The abstract objection has been withdrawn due to applicant's amendments.

The specification objection has been withdrawn due to applicant's amendments.

The 35 U.S.C. 112 rejections have been withdrawn due to applicant's amendments to claim 12 and cancellation of claims 13 – 16.

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 17 and 28 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claims 17 and 28 recite, “displaying a portion of the image on an entirety of a display screen and reducing the size of the portion”. Paragraph 76 of the specification recites the magnification of the size of the font and other utilities, but there is not mention of reducing the size of the portion or the size of the font. Enlarging a portion and reducing the size of the portion is new matter since there is no supporting evidence in the specification that explicitly teaches this limitation. Applicant must either distinctly point out and provide support in the specification for claims 17 and 28 or to cancel claims 17 and 28. Examiner rejects claims 17 and 28 under prior art as best understood.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 – 3, 6, 8, 10 – 12, 18 – 20, 22, 24, 26, and 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Kumakazi (JP 04-367997)

Regarding independent claim 1, Kumakazi discloses the CPU 4g that calculates the distance between the remote control switch 4 and the destination notice board (paragraph 40) and based on the distance of the remote control switch 4, the desired information is expanded to the display (paragraph 37 and Figure 10), which reads on the claimed image being displayed to a display unit and the claimed control unit which magnifies a predetermined information included in the display being magnified according to the attribute information and a distance between the displaying unit and a remote control. The scale factor reads on the claimed display attribute information. Kumakazi also discloses the CPU 4g which performs a processing for calculating the distance between the remote control switch 4 and the destination noticeboard according to the length of time light is reflected and processing to output a signal depending on the input and where contents of the expand display is expanded based on the distance between the remote control switch 4 and the noticeboard (paragraphs 37 – 41), which also reads on the claimed control unit which magnifies a predetermined information included in the display being magnified according to the attribute information and a distance between the displaying unit and a

remote control. The scale factor reads on the claimed display attribute information. Kumakazi also discloses that the distance information received from the remote control switch 24 to the noticeboard is used to display the content in the expanding display and where the distance information is determined from the table in which the corresponding expansion ratio is presorted in program ROM 303 (paragraph 41 and Figures 10 and 17), which reads on the claimed management table which stores display attribute information indicating predetermined information included in the image displayed by the display unit.

Regarding independent claim 12, claim 12 is similar in scope as to claim 1, thus the rejection for claim 1 hereinabove is applicable to claim 12.

Regarding dependent claim 2, Kumakazi discloses the remote control switch 4 used for expanding display is comprised of an electrooptical converter 4e provided with a light emitter for measuring the distance between the remote control switch 4 and the destination noticeboard, a photoelectric converter 4f provided with a light-receiving element (paragraph 39), which reads on the claimed distance measuring unit which measures the distance, when receiving a predetermined signal from the remote controller.

Regarding dependent claim 3, Kumakazi discloses a maximum value in where if the distance is greater than or equal to 8m, then to only magnify by 5.84x (Figure 17), which reads on the claimed control unit comprises a distance deciding unit which decides whether the distance exceeds a specified value, when receiving a predetermined signal from the remote controller.

Regarding dependent claim 6, Kumakazi discloses character information being magnified (Figure 10), which reads on the claimed attribute information indicates character information included in the image as the predetermined image.

Regarding dependent claim 8, Kumkazi discloses operation icon, such as, “away from work”, “X”, and “15:00”, being magnified (Figure 10), which reads on the claimed attribute information indicates an operation icon included in the image as the predetermined information.

Regarding dependent claims 10 and 11, Kumakazi discloses the standard display processing for restoring the display to standard size is performed after a fixed length of time has elapsed (paragraph 41), which reads on the claimed control unit resets/stops a magnifying process according to an external instruction to reset a size of the predetermined information and the claimed control unit resets/stops a magnifying process to reset a size of the predetermined information, when the display unit is operated by an operating means other than the remote controller.

Regarding dependent claim 20, Kumakazi also discloses a predetermined information is magnified based on distance and the predetermined information is magnified on a display based on distance (Figure 10 and 17), which reads on the claimed magnifying the predetermined information according to control information attached to the image. The scaling factor in Figure 17 is the control information.

Regarding dependent claims 18, 19, 22, 24, 26, and 27, claims 18, 19, 22, 24, 26, and 27 are similar in scope as to claims 2, 3, 6, 8, 10, and 11, thus the rejection for claims 2, 3, 6, 8, 10, and 11 hereinabove is applicable to claims 18, 19, 22, 24, 26, and 27.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5, 17, 21, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kumakazi (JP 04-367,997) in view of Lee (US 2003/0234799).

Regarding dependent claims 5 and 21, Kumakazi did not explicitly disclose attribute information indicates an entirety of the image as the predetermined information. Lee discloses the size of the image being adjusted accordingly to the distance between the display apparatus and the user (claim 1). It would have been obvious for one of ordinary skill in the art at the time of the invention to combine Kumakazi's system with Lee's teachings of magnifying the whole image in the display apparatus to magnify the whole image in the display apparatus based on the distance between the display apparatus and the remote control. One would be motivated to do so because this would allow users holding the remote control to clearly see an image in the display apparatus through magnification at a large distance.

Regarding dependent claims 17 and 28, Lee discloses the size of the image being adjusted accordingly to the distance between the display apparatus and the user (claim 1) and Kumakazi restoring the display to standard size is performed after a fixed length of time has elapsed (paragraph 41), which reads on the claimed display unit displays a portion of the image on an entirety of a display screen and the control unit reduces the size of the portion. It would have been obvious for one of ordinary skill in the art at the time of the invention to combine

Kumakazi's system with Lee's teachings of magnifying the whole image in the display apparatus to magnify the whole image in the display apparatus based on the distance between the display apparatus and the remote control. One would be motivated to do so because this would allow users holding the remote control to clearly see an image in the display apparatus through magnification at a large distance.

Claims 7 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kumakazi (JP 04-367,997) in view of Suda (US 2002/0034375).

Regarding dependent claims 7 and 23, Kumakazi did not expressly disclose magnifying subtitle information of the image as the predetermined information. Suda discloses enlarging subtitles (paragraphs 99 and Figures 9A – 9C). It would have been obvious for one of ordinary skill in the art at the time of the invention to modify Kumakazi's system by enlarging subtitles based on distance. One would be motivated to do so for people who are visually impaired or hearing impaired would be able to see subtitles with convenience at any reasonable distance.

Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kumakazi (JP 04-367,997) in view of Ryoji (JP 2001-282210).

Regarding dependent claim 9 and 13, Kumakazi did not explicitly disclose the magnification of predetermined information included in the video contents. Ryogi discloses predetermined information being enlarged based on user selection (Figures 6 and 7). It would have been obvious for one of ordinary skill in the art at the time of the invention to combine Kumakazi's system with Ryogi's teaching of magnifying predetermined information in a video

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display to magnify predetermined information in a video display based on the distance between the display unit and the remote control, which allow users to concentrate on the selective magnified part of the image while leaving the rest of the image the same.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey J. Chow whose telephone number is (571)272-8078. The examiner can normally be reached on Monday - Friday 10:00AM - 5:00PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ulka Chauhan can be reached on (571)-272-7782. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JSC


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